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August 19, 2008

VIA ELECTRONIC FILING **(w/o enclosures)**

The Honorable Sue L. Robinson
United States District Court
for the District of Delaware
844 King Street
Wilmington, DE 19801

Re: *Callaway Golf Company v. Acushnet Company*
USDC-D. Del. - C.A. No. 07-367 (SLR)

Dear Judge Robinson:

Pursuant to Your Honor's request during the discovery conference on August 5, 2008, Callaway Golf respectfully submits for in camera review two documents (attached to the Declaration of Jennifer K. Bush) that Callaway Golf is withholding on the basis of the work product protection. Callaway Golf also submits two declarations containing privileged information to assist the Court's assessment of the work product status of the documents.

Callaway Golf requests Your Honor to rule that: (1) the two documents being submitted are work product; and (2) Acushnet's speculative inequitable conduct allegations do not meet the high standard of a prima facie showing of fraud required to pierce the work product protection. *See, e.g., Allergan Inc. v. Pharmacia Corp.*, 2002 WL 1268047, at *1 (D. Del. May 17, 2002) (Robinson, J.) ("Moreover, absent a prima facie showing of fraud, an allegation of inequitable conduct, in and of itself, does not vitiate the attorney-client privilege or the protections of the attorney work product doctrine.").

Respectfully,

/s/ Thomas L. Halkowski

Thomas L. Halkowski

TLH/jrm
Enclosures

cc: David E. Moore, Esq. (w/o encl)



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